



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 18-075

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated December 2014.]

1. Statutory Authority

- a. In SECTION 1, the citation to s. 227.11, Stats., should be to s. 227.11 (2) (a), Stats.
- b. In SECTION 1, should the citation to s. 445.03, Stats., instead be to s. 445.03 (2) (a), Stats.? The latter citation appears in the analysis preceding the text of the rule.

2. Form, Style and Placement in Administrative Code

In SECTION 3, it is unclear why a definition of “applicant” is needed. The chapter does not consistently use “applicant”, and the term in s. 445.05, Stats., is “person”. Unless the agency uses the term “applicant” in a way that renders its plain meaning is ambiguous, the definition can be omitted.

5. Clarity, Grammar, Punctuation and Use of Plain Language

- a. In SECTION 5, American board of funeral service education should not be capitalized. [s. 1.01(4), Manual.]
- b. For clarity, s. FD 1.076 (1) should utilize the more precise statutory language: instead of “or longer if an extension is granted”, the agency should insert “or, if an extension is granted, after the expiration of the extension, ...”. Clarity would also be improved by substituting “again completes” for the words “demonstrates they have retaken”.
- c. For style reasons the agency may consider deleting “retakes and” in s. FD 1.07 (2).
- d. The term “department” should not be capitalized in the definition in SECTION 13.